

## Fallon, Gail

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**From:** Fallon, Gail  
**Sent:** Tuesday, April 15, 2014 11:22 AM  
**To:** 'Jeremy Nichols'  
**Subject:** RE: FOIA Request EPA-R8-2012-000800 (old number 08-FOI-00148-12), dated March 6, 2012, regarding North Dakota regional haze

Jeremy – Thank you for your reply. We will proceed with the CBI review for the third document.

### Gail Fallon

Environmental Engineer  
Air Quality Planning Unit  
US EPA, Region 8  
Denver, CO  
(303) 312-6281

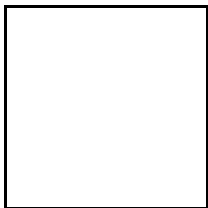
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**From:** Jeremy Nichols [<mailto:jnichols@wildearthguardians.org>]  
**Sent:** Tuesday, April 15, 2014 10:47 AM  
**To:** Fallon, Gail  
**Cc:** Morales, Monica  
**Subject:** Re: FOIA Request EPA-R8-2012-000800 (old number 08-FOI-00148-12), dated March 6, 2012, regarding North Dakota regional haze

Hi Gail -

If you could proceed with a CBI review for the third document, that would be great. Thank you.

Jeremy



On Fri, Apr 11, 2014 at 4:08 PM, Fallon, Gail <[fallon.gail@epa.gov](mailto:fallon.gail@epa.gov)> wrote:

Dear Mr. Nichols,

This is to follow-up on a March 31, 2014 email that we sent to you via the Freedom of Information Act (FOIA) Online system. We had questions on several documents with confidential claims for which EPA had not initiated substantiation requests. I have since communicated with another requestor regarding these same documents. One outstanding question on these particular documents remains for you as discussed towards the end of this email.

These documents were discovered among the voluminous documents we are reviewing from an August 2010 package from Burns & McDonnell. This package was submitted in response to an EPA Clean Air Act section 114 information request. I was seeking your input regarding if you would like us to proceed with the formal determination process on confidentiality claims pertaining to these few particular documents.

The first two documents involve a Catalyst vendor, CERAM, and a July 24, 2009 proposal document it authored for providing equipment and services for a selective catalytic reduction (SCR) "CoPilot Catalyst Test Reactor" at Milton R. Young Station (MRYS) dated July 24, 2009. The documents include design and pricing information. The two documents collectively contain 40 pages. The other FOIA requestor would like us to proceed with the formal CBI determination process for these documents, and we agreed to do so. You and the other requestor will both receive copies of any of these documents, or portions of thereof, that can be released after we complete our determination process.

A third document pertains to a process schematic from another company, Babcock, who was also involved in the evaluation of SCR at MRYS. The schematic is an elementary depiction of an unnamed SCR system with temperature information noted at various points for both a "US SCR project" and a "European SCR project." The schematic also mentions "PRB fuels." The schematic is provided on one page. The other FOIA requestor indicated they would not require this document. **If you desire us to make a formal determination on this document, please reply via email or phone so we can begin the CBI determination process for this document.**

If you have other questions or concerns regarding your FOIA request, please do not hesitate to contact me.

Sincerely,

**Gail Fallon**

Environmental Engineer

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